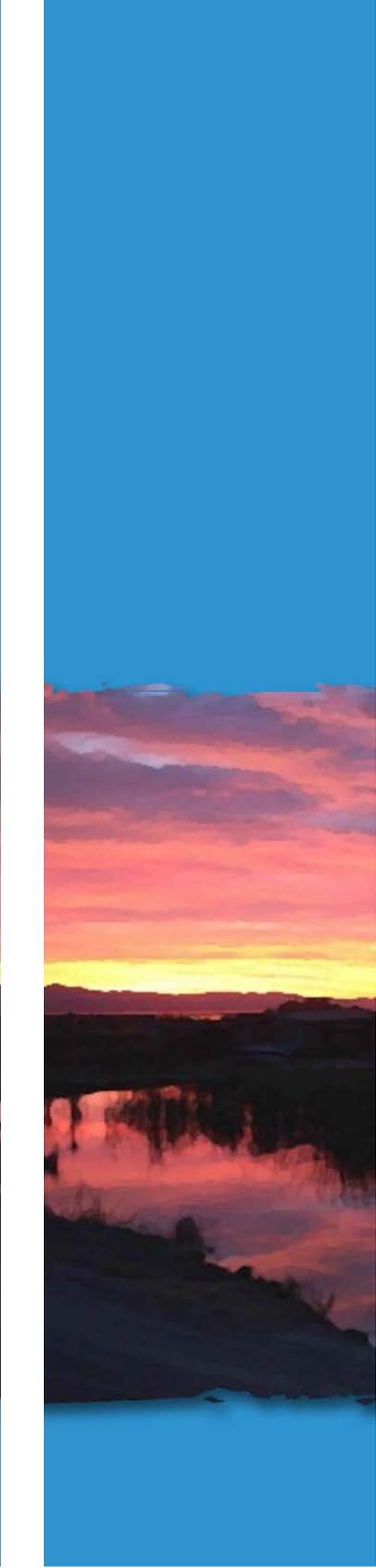


Section D
Administrative Process





D. Administrative Process

The DBW submitted a Notice of Preparation (NOP) to the State Clearinghouse (Office of Planning and Research) on May 9, 2008. The NOP identified the DBW's intent to prepare a Programmatic Environmental Impact Report for the WHCP, and solicited comments from interested agencies by June 12, 2008. The State Clearinghouse distributed the NOP to twenty (20) State agencies and commissions. In addition, the DBW distributed the NOP to five (5) federal agencies, and twenty-seven (27) local agencies.

On May 22, 2008, the DBW held a public scoping meeting at the DBW offices in Sacramento, California. This meeting was attended by one interested party, Mr. Pat Akers, of the California Department of Food and Agriculture.

The DBW completed the Draft PEIR for the Water Hyacinth Control Program and submitted the Draft PEIR to the State Clearinghouse on September 10, 2009. The State Clearinghouse distributed the Draft PEIR to twenty (20) State agencies and commissions. In addition, the DBW posted the Draft PEIR on their web page (www.dbw.ca.gov), and distributed the Draft PEIR to five (5) federal agencies, thirty-eight (38) local agencies, and sixty-one (61) marinas located within the Sacramento-San Joaquin Delta.

The DBW published public notices announcing the availability of the Draft PEIR, and dates and locations for two public hearings, in three Delta-area newspapers on September 23, 2009. The three newspapers publishing the notices were: (1) The Sacramento Bee, (2) The Stockton Record, and (3) Contra Costa Times.

The DBW held two public hearings in order to obtain feedback on the Draft PEIR. The first public hearing was held on Wednesday, October 7, 2009, 9:30 AM, at the DBW offices. There were no public attendees at this first meeting. The second public hearing was held on Tuesday, October 13, 2009, 7:00 PM, at the Jean Harvie Community Center in Walnut Grove. There was one public attendee at this second meeting, Mr. James Dixon. Mr. Dixon expressed his support "for any efforts made to control water hyacinth in the Delta".

The public comment period for the Draft PEIR ended on October 26, 2009. During the comment period, the State Clearinghouse did not receive any comments from State agencies. The DBW received two comment letters, provided in **Exhibit D-1**, starting on the next page. Exhibit D-1 also includes a copy of the DBW's response to the Central Valley Flood Protection Board letter. None of these comments required changes to the Draft PEIR.

The DBW has prepared these findings, and Statement of Overriding Considerations, included in this Volume III, to satisfy requirements of Sections 15090, 15091, 15092, 15093, and 15097 of the CEQA Guidelines, in connection with the DBW's approval of the WHCP.

Exhibit D-1

WHCP Draft PEIR Comment Letters Submitted to the DBW, and DBW Response



10545 Armstrong Avenue
Mather, CA 95655
Tele: [916] 876-6000
Fax: [916] 876-6160
Website: www.srcsd.com

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Marcia Maurer
Chief Financial Officer

Wastewater Treatment

Technology in Balance with Nature

October 1, 2009

Ms. Terri Ely
Aquatic Weed Program
California Department of Boating and Waterways
2000 Evergreen Street, Suite 100
Sacramento, CA 95815-3888

Dear Ms. Ely:

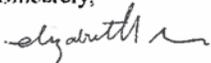
**Subject: Water Hyacinth Control Program – Public Hearing
Notice and Notice of Availability of a Draft
Programmatic Environmental Impact Report**

Sacramento Regional County Sanitation District (SRCSD) has reviewed the subject document and has the following comments:

The project is proposing various alternatives to control the growth and spread of water hyacinth in the Delta and surrounding tributaries. The project area includes portions of eleven counties that encompass much of the Sacramento – San Joaquin Delta and its upland tributaries.

The subject project will have no significant impacts to SRCSD facilities at this time.

If you have any questions regarding this letter, please feel free to contact me at (916) 876-5608, or by at e-mail at obonel@sacsewer.com.

Sincerely,

Elizabeth Obon
Sacramento Regional County Sanitation District

cc: SRCSD Development Services

Sacramento Regional County Sanitation District

Printed on Recycled Paper

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. LL40
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682



September 17, 2009

Marcia Carlock
California Department of Boating and Waterways
2000 Evergreen Street, Suite 100
Sacramento, CA 95815

Dear Ms. Carlock:

State Clearinghouse (SCH) Number: 2008052033
Water Hyacinth Control Program

Staff for the Department of Water Resources has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board (Formerly known as The Reclamation Board). The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- A vegetation plan including, but not limited to the sites, vegetation type (i.e. common and scientific name), number, planting spacing and irrigation method that will be within each project area (CCR Section 131).

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and state agencies, as other permits may apply.

If you have any questions please contact me at (916) 574-0651 or by email jherota@water.ca.gov.

Exhibit D-1

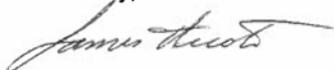
WHCP Draft PEIR Comment Letters Submitted to the DBW, and DBW Response *(continued)*

September 17, 2009

Marcia Carlock

Page 2 of 2

Sincerely,



James Herota
Staff Environmental Scientist
Floodway Protection Section
Division of Flood Management

cc:

Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

STATE OF CALIFORNIA-THE RESOURCES AGENCY

Arnold Schwarzenegger, Governor

DEPARTMENT OF BOATING AND WATERWAYS

2000 Evergreen Street, Suite 100
SACRAMENTO, CA 95815-3888
(916) 263-1331



November 9, 2009

Mr. James Herota
Staff Environmental Scientist
Central Valley Flood Protection Board
3310 El Camino Ave., Rm. LL40
Sacramento, California 95821

Regarding: State Clearinghouse (SCH) Number 2008052033,
Water Hyacinth Control Program

Dear Mr. Herota:

Thank you for your September 17, 2009, comments regarding the Draft Programmatic Environmental Impact Report (PEIR) for the Water Hyacinth Control Program (WHCP). While the WHCP operates within the Central Valley Flood Protection Board's jurisdiction, WHCP operations do not meet any of the three conditions which would require the Department of Boating and Waterways to obtain a Board permit.

The only potentially applicable requirements are related to vegetation; however, the WHCP, as defined in the PEIR, does not include removal of vegetation that would involve cutting into the levee (CCR Section 6), and does not include a vegetative plan (CCR Section 131). Most water hyacinth treatments are applied to free-floating plants within Delta waterways, and selected tributaries.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Ely".

Ms. Terri Ely
Senior Environmental Scientist
tely@dbw.ca.gov
(916) 263-8138

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